

*City of Las Vegas*

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: OCTOBER 25, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-24332 - APPLICANT: LAMAR OUTDOOR  
ADVERTISING - OWNER: BARTSAS MARY 1, L L C**

---

**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:

**Planning and Development**

1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**RQR-24332 - Staff Report Page One**  
**October 25, 2007 - Planning Commission Meeting**

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Required One Year Review of an approved Special Use Permit (U-0260-94) for a 40-foot tall 14-foot x 48-foot Off Premise Advertising (Billboard) Sign at the northwest corner of Cheyenne Avenue and Rancho Drive.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |  |
|---|--|
| 11/22/94  | The City Council, on an appeal of a denial by the Board of Zoning Adjustment, approved a Special Use Permit (U-0260-94) for a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign on the subject site. Staff recommended approval.                       |
| 03/24/97  | The City Council adopted a new Zoning Code (Title 19A), which created the Airport Overlay District and the Off-Premise Sign Exclusionary Zone.   |
| 02/16/00  | The City Council approved a required Five-Year Review [U-0260-94(1)] on the above-noted approved Special Use Permit. The Planning Commission and staff recommended approval.   |
| 02/01/02  | A Two Year Required Review was not scheduled because the applicant was unsure if the sign would remain on the property.  |
| 10/05/05  | The City Council approved a required Two-Year Review (RQR-6792) of an approved Special Use Permit for a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign on the subject site. The Planning Commission recommended approval. Staff recommended denial. |
| <b><i>Related Building Permits/Business Licenses</i></b>                  |  |
| 02/02/95  | A building permit (#95365774) was issued for the subject Off-Premise Advertising (Billboard) Sign. A final inspection was conducted on 02/06/95.   |
| 06/14/00  | A building permit (#11491) was issued for electrical service to the subject Off-Premise Advertising (Billboard) Sign. A final inspection was conducted on 06/22/00.  |
| <b><i>Pre-Application Meeting</i></b>                                     |  |
| A pre-application meeting is not required, nor was one held.              |  |
| <b><i>Neighborhood Meeting</i></b>  |  |
| A neighborhood meeting is not required, nor was one held.                 |  |
| <b><i>Field Check</i></b>   |  |
| 09/21/07  | A site inspection was conducted and photographs were taken. The sign was found to be in good structural condition and no issues were noted.  |

**RQR-24332 - Staff Report Page Two**  
**October 25, 2007 - Planning Commission Meeting**

| <i>Details of Application Request</i> |      |
|---------------------------------------|------|
| <i>Site Area</i>                      |      |
| Net Acres                             | 0.50 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b> | <b>Planned Land Use</b> | <b>Existing Zoning</b>   |
|-----------------------------|--------------------------|-------------------------|--------------------------|
| Subject Property            | Restaurant               | GC (General Commercial) | C-2 (General Commercial) |
| North                       | Commercial               | GC (General Commercial) | C-2 (General Commercial) |
| South                       | Restaurant               | SC (Service Commercial) | C-2 (General Commercial) |
| East                        | Convenience Store        | GC (General Commercial) | C-2 (General Commercial) |
| West                        | Undeveloped              | GC (General Commercial) | C-2 (General Commercial) |

| <i>Special Districts/Zones</i>                    | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| <b>Special Area Plan</b>                          |            | X         | N/A               |
| <i>Special Districts/Zones</i>                    | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| <b>Special Purpose and Overlay Districts</b>      |            |           |                   |
| A-O (Airport Overlay) District (35-Foot)          | X          |           | Y *               |
| <b>Trails</b>                                     |            | X         | N/A               |
| <b>Rural Preservation Overlay District</b>        |            | X         | N/A               |
| <b>Development Impact Notification Assessment</b> |            | X         | N/A               |
| <b>Project of Regional Significance</b>           |            | X         | N/A               |

\* The sign is located in the Airport Overlay District 35-foot notification zone. However, the sign was constructed on the subject property prior to the creation of the Airport Overlay District.

## **DEVELOPMENT STANDARDS**

| <b>Standards</b> | <b>Code Requirement</b>  | <b>Provided</b>                  | <b>Compliance</b> |
|------------------|--|----------------------------------|-------------------|
| Location         | No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas | Located in the Exclusionary Zone | N                 |

**RQR-24332 - Staff Report Page Three**  
**October 25, 2007 - Planning Commission Meeting**

|                                       |   |  |   |
|---------------------------------------|---|--|---|
| Zoning                                | Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only  | Located within a C-2 (General Commercial) zoning district              | Y |
| Area                                  | No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. | 672 SF   | Y |
| Height                                | No higher than 40 feet from grade at the point of construction  | Maximum height of 40 feet from grade                                   | Y |
| Screening                             | All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.  | Screened   | Y |
| Off-Premise Advertisement (Billboard) | At least 300 feet to another Off Premise Sign   | 325 feet to another Off Premise Sign                                   | Y |
| Off-Premise Advertisement (Billboard) | At least 300 feet to the nearest property line of a lot in any "R" zoned district.  | 485 feet from "R" zoned property to the west.                          | Y |
| Other                                 | All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.   | Permanently secured to ground; located on strictly commercial property | Y |

**RQR-24332 - Staff Report Page Four**  
**October 25, 2007 - Planning Commission Meeting**

## **ANALYSIS**

This is the third review of the subject Off-Premise Advertising (Billboard) Sign. The sign was found to be in good structural condition upon inspection. The area immediately surrounding the subject site has not changed substantially since the last review of the Special Use Permit allowing the off-premise advertising (billboard) sign. However, the billboard is located within the Off-Premise Sign Exclusionary Zone and exceeds the 35-foot height restriction as determined by the North Las Vegas Airport Overlay Zone. Due to the sign being located on the site prior to the establishment of the Airport Overlay District a Special Use Permit shall not be required. Off-Premise Advertising (Billboard) Signs are now prohibited in the Exclusionary Zone and; therefore, denial of this request is recommended.

## **FINDINGS**

Off-Premise Advertising (Billboard) Signs are now prohibited in the Exclusionary Zone and; therefore, denial of this request is recommended. If approved, the sign shall be subject to conditions and an additional review in five years.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

2

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 4

**NOTICES MAILED** 103

**APPROVALS** 0

**PROTESTS** 0